

RECEIVED
AND FILED

2003 JAN 17 PM 2:41

LANCE S. WILSON

BY

MS

RICHARD SEGERBLOM, ESQ.
Nevada Bar No. 1010
704 South Ninth Street
Las Vegas, Nevada 89101
Tel: (702) 388-9600
Fax: (702) 385-2909

Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

CV-S-03-0068-RLH-LRL

DOMINICA FLOWERS,

Plaintiff,

vs.

TRADER PUBLISHING COMPANY, dba
LAS VEGAS EMPLOYMENT GUIDE,

Defendant.

COMPLAINT
(Jury Demanded)

COMES NOW Plaintiff and complains of Defendant as follows:

First Cause of Action

I.

This is a civil rights in employment action based upon Title VII. Plaintiff Dominica Flowers, a black female, alleges she was subjected to unlawful discrimination and retaliated against when she complained about that discrimination.

II.

Plaintiff is a resident of Clark County, Nevada and at all times herein was employed by Defendant. Defendant Trader's Publishing Company is a Delaware corporation doing business in Clark County, Nevada.

III.

The Plaintiff was employed by the Defendant from 1998 until 2000. During her employment she was subjected to discrimination and retaliation. After she was constructively discharge the Plaintiff filed a charge of discrimination with the EEOC, and that document is attached hereto and the contents are adopted by reference. The Plaintiff has also received a right to sue letter based upon that charge, and a copy of that document is also attached hereto and adopted by reference.

IV.

The Plaintiff has suffered emotional distress and financial harm as a direct result of the Defendant's unlawful conduct.

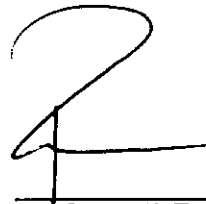
V.

The above described acts of Defendant were wanton, willful, malicious and done with a conscious disregard for Plaintiff's federally protected rights.

WHEREFORE, the Plaintiff prays for the following relief:

1. Reinstatement, with full backpay, benefits and prejudgment interest;
2. Frontpay, if reinstatement is not possible;
3. Compensatory damages in the amount of \$300,000;
4. Punitive damages in the amount of \$300,000;
5. Attorney's fees and costs of suit; and
6. Such other and further relief as the Court may wish to entertain.

DATED this 17th day of January, 2003.



RICHARD SEGERBLOM, ESQ.
704 South Ninth Street
Las Vegas, Nevada 89101
Attorney for Plaintiff

CHARGE OF DISCRIMINATION

AGENCY CHARGE NUMBER

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

☒ FEPA
☐ EEOC0214000821
34BA00388Nevada Equal Rights Commission
State or local Agency, if any

and EEOC

NAME (Indicate Mr., Ms., Mrs.)

HOME TELEPHONE (Include Area Code)

Ms. Dominica Flowers

(702) 531-1911

STREET ADDRESS

CITY, STATE AND ZIP CODE

DATE OF BIRTH

1259 Linn Lane, Las Vegas, NV 89110

06/27/1962

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (For more than one list below.)

NAME NUMBER OF EMPLOYEES, MEMBERS TELEPHONE (Include Area Code)

Trader's Publishing Company

Cat A (15-100)

(702) 362-5080

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

5030 S. Decatur, Suite #C, Las Vegas, NV 89118

003

NAME TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate boxes)

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☒ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify)DATE DISCRIMINATION TOOK PLACE
EARLIEST LATEST

12/27/1999 01/04/2000

☒ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s))

I was hired by Trader's Publishing Company on or about January 11, 1998 as a Sales Representative. While employed there, I have been subjected to different terms & conditions, harassed and retaliated against for no other reason than my race, Black. On January 4, 2000, I resigned my position. I initially filed my complaint with the Nevada Equal Rights Commission on December 27, 1999.

Respondent could not state why I am being treated this way.

I feel I am being discriminated against for no other reason than my race, Black because under terms and conditions, I am not being afforded the same income chances as the others in the office not of my protected group. They are given accounts with greater income potential than I and when I complained about the practice, I was ignored.

As I continued to complain about the different treatment, I received further discrimination in the form of discipline where others are not given, and harassed in the manner of being issued charge backs that were not mine, but I was made to pay for. As the only Black sales person there, I am singled out and treated differently and held to different standards and lower income than those not of my protected class.

On January 4, 2000, I resigned my position, due to stress and anxiety. I tendered my resignation via a verbal message over an answering machine.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the foregoing is true and correct.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Month, day and year)
JOYCE MARTINEZ
Notary Public Nevada
No. 98-5057-1

Date

1/14/2000

Charging Party

Signature

2-14-00



EEOC Form 161-B (10/96)

U. S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Dominica Flowers
3750 E. Bonanza, Apt. 96, Bldg. 22
Las Vegas, NV 89110

From: Equal Employment Opportunity Commission
255 E. Temple Street
Los Angeles, CA 90012

[] On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
34BA00388	Legal Officer of the Day	(213) 894-1000

(See also the additional information attached to this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- [x] More than 180 days have passed since the filing of this charge.
- [] Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- [x] The EEOC is terminating its processing of this charge.
- [] The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

- [] The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on the above-numbered charge will be lost.
- [] The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Olophius E. Perry, District Director

October 22, 2002

(Date Mailed)

Enclosure(s)

cc: Executive Officer, on behalf of
Trader's Publishing Co.
5030 S. Decatur, Suite C
Las Vegas, NV 89118

Richard Segerblom, Esq.
704 S. Ninth Street
Las Vegas, NV 89101